



Entered on Docket
September 01, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

LEWIS AND ROCA LLP

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE COMPANY,

USA CAPITAL REALTY ADVISORS, LLC,¹

USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED FUND, LLC,²

USA SECURITIES, LLC,³

Debtors.

Affects:

- All Debtors
- USA Commercial Mortgage Company
- USA Capital Realty Advisors, LLC
- USA Capital Diversified Trust Deed Fund, LLC
- USA Capital First Trust Deed Fund, LLC
- USA Securities, LLC

Case No. BK-S-06-10725-LBR

Case No. BK-S-06-10726-LBR¹

Case No. BK-S-06-10727-LBR

Case No. BK-S-06-10728-LBR²

Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under
Case No. BK-S-06-10725 LBR

**ORDER SUSTAINING OMNIBUS
OBJECTION OF USACM TRUST TO
PROOFS OF CLAIM BASED UPON
INVESTMENT IN THE 3685 SAN
FERNANDO ROAD PARTNERS LOAN**

Hearing Date: August 21, 2009
Hearing Time: 9:30 a.m.

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.



1 The Court having considered the “Omnibus Objection of USACM Trust to Proofs
2 of Claim Based Upon Investment in the 3685 San Fernando Road Partners Loan” [Docket
3 No. 7243] (the “Objection”); with appropriate notice of the Objection having been given;
4 with no response to the Objection having been filed; and good cause appearing:

5 **IT IS HEREBY ORDERED** that:

6 1. The Objection is sustained; and
7 2. The claims listed in **Exhibit A** are disallowed in full.

8 PREPARED AND RESPECTFULLY SUBMITTED BY:

9 **LEWIS AND ROCA LLP**

10 By /s/ Marvin Ruth (#10979)

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In accordance with Local Rule 9021, the undersigned certifies:

- The Court waived the requirements of LR 9021.
- No parties appeared or filed written objections, and there is no trustee appointed in this case.
- I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any unrepresented parties who appeared at the hearing, and any trustee appointed in this case, and each has approved or disapproved the order, or failed to respond, as indicated below (list each party and whether the party has approved, disapproved, or failed to respond to the document):

U.S. Trustee: August Landis	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input checked="" type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document
Other Party:	
<input type="checkbox"/> approved the form of this order	<input type="checkbox"/> disapproved the form of this order
<input type="checkbox"/> waived the right to review the order and/or	<input type="checkbox"/> failed to respond to the document

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Submitted by:

LEWIS AND ROCA LLP

By: /s/ Marvin Ruth (#10979)

Rob Charles
John Hinderaker
Marvin Ruth

Attorneys for USACM Liquidating Trust

EXHIBIT A

USACM TRUST

3685 SAN FERNANDO ROAD
SINGLE LOAN CLAIMS

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the 3685 San Fernando Road
10725-01780	Rehberger Family Trust Dtd 6/17/92	C/O Annemarie Rehberger Po Box 3651 Incline Village, NV 89450	50,000.00	50,000.00
10725-01479	Triantos, Rory L	13843 Malcom Ave Saratoga, CA 95070-5314	101,527.68	101,527.68
10725-01245	Virani, Arif & Salima	774 Clove Ct. Henderson, NV 89012-0723	50,000.00	50,000.00
10725-01201	Virani, Aris & Salima	774 Clove Ct. Henderson, NV 89012	50,000.00	50,000.00
10725-00975	Williams, Susan Marie	Po Box 9270 Truckee, CA 96162	70,000.00	70,000.00
10725-00541	Beryl Winer Family Trust	C/O Beryl Winer Trustee 776 Birdbay Way Venice, FL 34285-6142	60,000.00	60,000.00
10725-00393	Gross, Mary Margaret	717 Merialdo LN Las Vegas, NV 89145	50,780.00	50,780.00
10725-00030	Burrus, Timothy F & Joann Ortiz-Burrus	Del Hardy Esq Hardy Law Group 96-98 Winter St Reno Nv 89503-5605	50,000.00	50,000.00
10725-00292	C. Zrudsky Inc.	Attn: Coleen Zrudsky 5731 S. Youngfield Street Littleton, CO 80127	54,355.00	54,355.00
10725-00266	Arechiga, Albert	4800 Marconi Ave #137 Carmichael, CA 95608	75,000.00	75,000.00

Loan Name

3685 San Fernando Road Partners, LP

USACM TRUST
3685 SAN FERNANDO ROAD
SINGLE LOAN CLAIMS

Claim	Name	Address	Total Claim Amount	Approximate Amount Subject to Objection Because it Relates to an Investment In the 3685 San Fernando Road